



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application Of:)	
)	
Saori KITAO, <i>et al.</i>)	Group Art No. TBA
)	
Serial No: 09/889,325)	Examiner: TBA
)	
Filed: January 19, 2000)	Docket No. 004276.00003
)	
For: GENE CAUSATIVE OF ROTHMUND-)	
THOMSON SYNDROME AND GENE)	
PRODUCT)	

RESUBMISSION OF DECLARATION AND
RESPONSE TO NOTICE OF MISSING REQUIREMENTS

Commissioner for Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

In response to the Notice of Missing Requirements dated April 16, 2003, Applicants resubmit herewith a copy of the following documents, which was originally filed on December 31, 2001:

1. Response to Notice to File Missing Requirements Under 35 U.S.C. 371;
2. Executed Declaration/Power of Attorney signed by Saori KITAO, Akira SHIMAMOTO, and Yasuhiro FURUICHI;
3. USPTO date-stamped return postcard dated December 31, 2001, indicating that the executed declaration has already been filed; and
4. A Fee Transmittal.

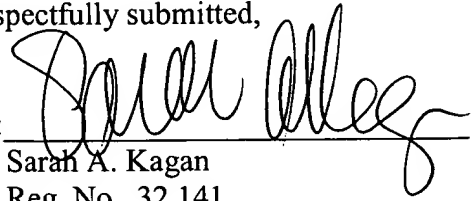
Please issue a Notice of Acceptance for this application.

We believe that no fee other than the declaration surcharge for providing the oath later

than 30 months from the priority date is required. However if an additional fee is required, the Commissioner is authorized to charge any fees, which may be required and/or credit any overpayment to our Deposit Account No. 19-0733.

Respectfully submitted,

By:


Sarah A. Kagan
Reg. No. 32,141

Dated: May 8, 2003

Customer No. 22907

DT135 d PCT/PTO 08 MAY 2003

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Please type a plus sign (+) inside this box → ☐

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 09/889,325

Filing Date July 13, 2001

First Named Inventor Saori Kitao

Group Art Unit TBA

Examiner Name TBA

Total Number of Pages in This Submission

Attorney Docket Number 004276.00003

ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☐ Preliminary Amendment

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☒ Response to Missing Parts/ Missing Requirements

☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

☐ Assignment Papers (for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition (w/copy of Figs. 1-7 and copy of date-stamped filing receipt of 11-12-2002 attached)

☐ Petition to Convert to a Provisional Application

☐ Power of Attorney, Revocation Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) _____

☐ After Allowance Communication to Group

☐ Appeal Communication to Board of Appeals and Interferences

☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please identify below):

Resubmission of Declaration; Declaration; PTO stamped post card dated 12/31/01

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Sarah A. Kagan, Reg. No. 32,141

Signature

Sarah A. Kagan

Date

May 8, 2003

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: _____

Typed or printed name

Signature

Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

REC'D PCT/PTO 08 MAY 2003

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
It displays a valid OMB control number.

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8



FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130

Complete if Known

Application Number 09/889,325
Filing Date July 13, 2001
First Named Inventor Saori Kitao
Examiner Name TBA
Group / Art Unit TBA
Attorney Docket No. 004276.00003

09/889325

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None
Order

☒ Deposit Account:

Deposit Account Number 19-0733

Deposit Account Name Banner & Witcoff, Ltd.

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	201	740	370	Utility filing fee	
106	206	330	165	Design filing fee	
107	207	510	255	Plant filing fee	
108	208	740	370	Reissue filing fee	
114	214	160	80	Provisional filing fee	

SUBTOTAL (1)

(\$ 0

2. EXTRA CLAIM FEES

Total Claims	20 **	=		X	9	=	
Independent Claims	0	=		X		=	0
Multiple Dependent		X		=		=	0

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
103	203	18	9	Claims in excess of 20	
104	204	84	42	Independent claims in excess of 3	
109	209	280	140	Multiple dependent claim, if not paid	
110	210	84	42	** Reissue independent claims over original patent	
		18	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2)

(\$

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	205	130	65	Surcharge - late filing fee or oath	130
127	227	50	25	Surcharge - late provisional filing fee or cover sheet.	
139	139	130	130	Non-English specification	
147	147	2,520	2,520	For filing a request for reexamination	
112	112	920*	920*	Requesting publication of SIR prior to Examiner action	
113	113	1,840*	1,840*	Requesting publication of SIR after Examiner action	
115	215	110	55	Extension for reply within first month	
116	216	400	200	Extension for reply within second month	
117	217	920	460	Extension for reply within third month	
118	218	1,440	720	Extension for reply within fourth month	
128	228	1,960	980	Extension for reply within fifth month	
119	219	320	160	Notice of Appeal	
120	220	320	160	Filing a brief in support of an appeal	
121	221	280	140	Request for oral hearing	
138	138	1,510	1,510	Petition to institute a public use proceeding	
140	240	110	55	Petition to revive - unavoidable	
141	241	1,280	640	Petition to revive - unintentional	
142	242	1,280	640	Utility issue fee (or reissue)	
143	243	460	230	Design issue fee	
144	244	620	310	Plant issue fee	
122	122	130	130	Petitions to the Commissioner	
123	123	50	50	Processing fee under 37 CFR 1.17 (q)	
126	126	180	180	Submission of Information Disclosure Stmt	
581	581	40	40	Recording each patent assignment per property (times number of properties)	
146	246	740	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	249	740	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	279	740	370	Request for Continued Examination (RCE)	
169	169	900	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 130

SUBMITTED BY

Complete (if applicable)

Name (Print/Type) Sarah A. Kagan Registration No. Attorney/Agent) 32,141 Telephone (202) 824-3000
Signature Date May 8, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

SAK

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/889,325	Saori Kitao	04276.00003

INTERNATIONAL APPLICATION NO.	
PCT/JP00/00233	
I.A. FILING DATE	PRIORITY DATE
01/19/2000	01/19/1999

Sarah A Kagan
Banner & Witcoff
1001 G Street N.W.
Washington, DC 20001-4597

RECEIVED

APR 21 2003

BANNER WITCOFF

CONFIRMATION NO. 2310

371 FORMALITIES LETTER



OC000000009838807

Date Mailed: 04/16/2003

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/13/2001
- English Translation of the IA filed on 07/13/2001
- Copy of the International Search Report filed on 07/13/2001
- Copy of IPE Report filed on 07/13/2001
- Preliminary Amendments filed on 07/13/2001
- Information Disclosure Statements filed on 07/13/2001
- Biochemical Sequence Diskette filed on 07/13/2001
- Biochemical Sequence Listing filed on 07/13/2001
- Copy of references cited in ISR filed on 07/13/2001
- U.S. Basic National Fees filed on 07/13/2001
- Priority Documents filed on 07/13/2001

004276.00003
DOCKETED

APR 21 2003

Rec/sens are
6/16/03
4/16/03 mem?

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- **\$130** Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- \$130 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

Telephone: (703) 305-3734

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/889,325	PCT/JP00/00233	04276.00003

BOX PCT

B&W # 04276.00003 Atty/Sec SAK:bnc Date: December 31, 2001
In Re International Application of: Saori KITAO, et al.
International Application No. PCT/JP00/00233; U.S. Serial No. 09/889,235
For: GENE CAUSATIVE OF ROTHMUND-THOMSON SYNDROME AND ITS GENE
PRODUCT
Date Due:

The following has been received in the U.S. Receiving Office on the date stamped hereon:

1. Transmittal Letter to the U.S. Designated/Elected Office Under 35 U.S.C. 371 (in dup.),
2. Executed Declaration
3. PCT/IB/338 (1 P.)
4. PCT/IPEA/409: English Translation (3 pp.)
5. PTO-1592 (in dup.) w/Executed Assignment
6. Declaration Surcharge \$130.00 and Assignment Recordation Fee \$40.00 charged to Deposit Account No. 19-0733

